

**Administrative Resolution No. (236) of 2015
Adopting the Bylaw
Concerning the Licensing of Legal Consultancy Firms in the Emirate of Dubai¹**

The Director General of the Government of Dubai Legal Affairs Department,

After perusal of Article 5(15) of Law No. (32) of 2008 Establishing the Government of Dubai Legal Affairs Department which provides for the Department's authority to license and regulate the practice of the advocacy and legal consultancy profession and firms and to issue the required regulations, bylaws and resolutions;

The powers vested in the Director General of the Government of Dubai Legal Affairs Department pursuant to Articles (2) and (14) of Executive Council Resolution No. (22) of 2011 Concerning Fees and Fines Prescribed for the Advocacy and Legal Consultancy Profession in the Emirate of Dubai;

Administrative Resolution No. (126) of 2012 Adopting the Bylaw Concerning the Licensing of Legal Consultancy Firms in the Emirate of Dubai; and

Administrative Resolution No. (234) of 2015 Adopting the Bylaw Concerning the Registration of Legal Consultants in the Emirate of Dubai;

Does hereby issue the following Resolution:

Article (1)

By virtue of this resolution, the attached Bylaw Concerning the Licensing of Legal Consultancy Firms in the Emirate of Dubai including all rules and procedures shall be adopted.

Article (2)

This resolution replaces Administrative Resolution No. (126) of 2012 Adopting the Bylaw Concerning the Licensing of Legal Consultancy Firms in the Emirate of Dubai.

Article (3)

This resolution shall come into force on the 1st November 2015.

(Signed)

**Dr. Lowai Mohamed Belhouli
Director General**

Issued in Dubai on 10 September 2015
Corresponding to 26 Thu Al Qa'dah Safar 1436 A.H.

¹ Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict the Arabic text shall prevail.

Bylaw
Concerning the Licensing of Legal Consultancy Firms
in the Emirate of Dubai

Title of the Bylaw
Article (1)

This Bylaw shall be cited as “**Bylaw Concerning the Licensing of Legal Consultancy Firms in the Emirate of Dubai**”.

Definitions
Article (2)

The following words and expressions, wherever mentioned in this Bylaw, shall have the meaning indicated opposite each of them unless the context implies otherwise:

State:	The United Arab Emirates.
Emirate:	The Emirate of Dubai.
Department:	The Government of Dubai Legal Affairs Department.
Director General:	The Director General of the Department.
Licensing Authority:	A competent entity legally authorised to issue commercial and professional licences to establishments operating in the Emirate and in the free zones including the Dubai International Financial Centre.
Resolution:	Executive Council Resolution No. (22) of 2011 Concerning Fees and Fines Prescribed for the Advocacy and Legal Consultancy Profession in the Emirate of Dubai.
Licence:	The document issued by the Department to authorise a Legal Consultancy Firm to provide Legal Services in the Emirate.
Legal Consultancy Firm:	A sole establishment, company or partnership established in the Emirate, or branch of a foreign firm licensed by the Department and by a Licensing Authority in the Emirate to provide Legal Services to the public.
Legal Consultant:	A natural person registered on the Roll.
Legal Services:	Services which the firm is authorised to provide in the Emirate, including but not limited to providing legal opinions and advice, drafting contracts, registering and liquidating companies, concluding settlements, representing clients before arbitration panels and centres, conciliation commissions and other entities, and any other legal service except pleading and representing clients before Dubai Courts.
Register:	The paper or electronic record maintained by the Department for the purpose of recording all information related to Legal Consultancy Firms.
Roll:	The paper or electronic record maintained by the Department for the purpose of recording the categories of and information pertaining to Legal Consultants.

Scope of Application Article (3)

- a. This Bylaw shall apply to Legal Consultancy Firms which provide Legal Services in the Emirate and in the free zones including the Dubai International Financial Centre.
- b. This Bylaw shall not apply to Government entities, corporations or companies which do not provide Legal Services to the public, and shall not apply to any other entities which the Department deems not subject to the provisions of this Bylaw.

Powers and Duties of the Department Article (4)

For purposes of implementing this Bylaw, the Department shall have the powers and duties to:

1. Classify Legal Consultancy Firms according to their legal form;
2. Establish the requirements and rules that must be met and the procedures that must be followed in order to license Legal Consultancy Firms in the Emirate according to their classification;
3. Determine the areas of the law that Legal Consultancy Firms may practise in the Emirate, depending on the qualifications, competence and expertise of their employees;
4. Consider applications for new Licences, renewal of Licences and amendment of the particulars of issued Licences of Legal Consultancy Firms;
5. Maintain the Register and determine the data that must be entered in it including the classification of Legal Consultancy Firms;
6. Establish the requirements that must be met by the managing partners of the Legal Consultancy Firm, and determine their duties and responsibilities;
7. Establish the rules governing the temporary suspension of Legal Consultancy Firms from providing Legal Services, and the revocation of their Licences in accordance with the legislation in force in the Emirate, including the bylaws, resolutions and instructions issued by the Department;
8. Establish the rules by which Legal Consultancy Firms may request to cease provision of Legal Services or request cancellation of the issued Licences;
9. Supervise and monitor the activities of all Legal Consultancy Firms in accordance with the provisions of the Resolution, the bylaws, resolutions and instructions issued by the Department;

10. Record violations and receive complaints against Legal Consultancy Firms and against Legal Service providers unlicensed by the Department, and take required action in this regard;
11. Impose penalties prescribed by the Resolution on persons in breach of the Resolution and any provisions of the bylaws, resolutions and instructions issued by the Department;
12. Prescribe the forms required for the implementation of the provisions of this Bylaw; and
13. Any other duties within its powers that relate to the licensing of Legal Consultancy Firms in the Emirate.

**Provision of Legal Services
Article (5)**

- a. No Legal Services may be provided to the public in the Emirate except through a Legal Consultancy Firm licensed by the Department.
- b. It is prohibited for any Legal Consultancy Firm to provide any Legal Services in an area of the law, which the Legal Consultancy Firm is not authorised by the Department to provide.
- c. All Legal Consultancy Firms must maintain an appropriate physical office within the Emirate which is appropriate for the purpose of providing Legal Services whether held by the Legal Consultancy Firm or a partner in the Legal Consultancy Firm as owner, beneficiary or lessee. It is not permissible for two or more firms to occupy a single physical office. The office shall be the registered office for purposes of communications and notices.
- d. No Legal Consultancy Firm may establish a branch office in the Emirate without obtaining the Department's approval in accordance with the relevant requirements adopted by the Department.

**Name of Legal Consultancy Firm
Article (6)**

Except for Legal Consultancy Firms licensed to operate in the Emirate prior to the effective date of this Bylaw, the name of a Legal Consultancy Firm must comply with the following:

1. The name must indicate the type of Legal Services provided;
2. In the case of a sole establishment, the name of the sole proprietor must feature in the name of the Legal Consultancy Firm;
3. In the case of a company or partnership, the name(s) of partner(s) or shareholder(s) must feature in the name of the Legal Consultancy Firm, and upon request of partners or where required, the Department may approve a name to the Legal Consultancy Firm other than the personal names of partners; and

4. In the case of a Legal Consultancy Firm which is a branch of a foreign firm, the name of the head office of the foreign firm must feature in the name of the Legal Consultancy Firm.

The Register Article (7)

A Register of Legal Consultancy Firms licensed in the Emirate shall be established by the Department. The Department shall determine the data that shall be recorded on the Register, including the legal form, relevant classification and the legal status of the Legal Consultancy Firm, and any amendments thereto.

Legal Form of Legal Consultancy Firms Article (8)

- a. Legal Consultancy Firms operating in the Emirate must take one of the following legal forms:
 1. A sole establishment;
 2. A company or partnership established in the Emirate; or
 3. A branch of a foreign firm.
- b. The legal forms referred to in Paragraph (a) above shall be established in accordance with the legislation applicable in the Emirate and the provisions stated herein.

Licensing Requirements Article (9)

- a. A sole establishment applying for a Legal Consultancy Firm Licence must meet the following requirements:
 1. The applicant must be a UAE national;
 2. The applicant must be registered on the Roll in the category of practising Legal Consultants or have met the relevant registration requirements for this category as provided for in the Bylaw Concerning the Registration of Legal Consultants approved by the Department and have submitted an application to be registered on the Roll;
 3. The applicant must have a minimum of three (3) consecutive years' practical legal experience in the State;
 4. The applicant must submit a professional business plan in accordance with the requirements adopted by the Department in this regard;
 5. The applicant must be the managing partner of the Legal Consultancy Firm throughout the term of the Licence;
 6. Any other requirements determined by the Department.

- b. A company or partnership established in the Emirate applying to obtain a Legal Consultancy Firm Licence must meet the following requirements:
1. The applicants applying for a license under this category must be UAE nationals. The Department may exempt some of the applicants from this condition in accordance with the procedures set in this regard;
 2. The applicants for a Legal Consultancy Firm Licence must be registered on the Roll in the category of practising Legal Consultants or must have met the registration requirements for this category as provided for in the Bylaw Concerning the Registration of Legal Consultants approved by the Department and have submitted an application to be registered on the Roll;
 3. The applicants must have a minimum of three (3) years' practical legal experience in the State;
 4. The applicants for Licence must appoint a managing partner for the Legal Consultancy Firm;
 5. The applicants must submit a professional business plan in accordance with the requirements set by the Department in this regard;
 6. The Legal Consultants employed by the Legal Consultancy Firm must be registered on the Roll in the category of practising Legal Consultants or must have met the relevant registration requirements for this category as provided for in the Bylaw Concerning the Registration of Legal Consultants approved by the Department and have submitted an application to be registered on the Roll;
 7. Any other requirements determined by the Department.
- c. A foreign firm applying to obtain a Licence to establish a branch of a legal consultancy firm must meet the following requirements:
1. The principal office of the foreign firm must submit the application for the Licence accompanied by a professional business plan in accordance with the requirements adopted by the Department in this regard,
 2. The principal office of the foreign firm must have recognised international repute in the provision of Legal Services;
 3. The principal office of the foreign firm must have a minimum of ten (10) years incorporation. If the principle office of the foreign firm has been incorporated for less than (10) ten years as a result of legal acquisition or merger between two or more firms, the number of years since the incorporation of the older of these shall be taken into consideration;
 4. The foreign firm must have a minimum of three (3) branch offices or entities in a minimum of three (3) distinct jurisdictions or five (5) branch offices or entities in a minimum of five (5) distinct states within one jurisdiction that have distinctive legal systems, as per the discretion of the Department;

5. The partners of the foreign firm must either an existing partner or appoint a third parties as a managing partner. The managing partner must have a minimum of ten (10) years' practical legal experience;
 6. The number of Legal Consultants, including the appointed managing partner, employed by the branch of the foreign firm shall be no less than three (3). All Legal Consultants employed in the branch of the foreign firm must be registered on the Roll in the category of practising Legal Consultants or have met the relevant registration requirements for this category as provided for in the Bylaw Concerning the Registration of Legal Consultants approved by the Department and must have also submitted an application to be registered on the Roll;
 7. Any other requirements determined by the Department.
- d. In addition to the requirements stipulated by paragraphs (a) to (c) of this Article, all Legal Consultancy Firms must, for licensing purposes, maintain compliance with the following requirements:
1. Pay all prescribed Legal Consultancy Firm Licence fees in accordance with the relevant procedures adopted by the Department; and
 2. Obtain professional indemnity insurance to cover all risks and negligence relating to the practise of the Legal Consultancy profession in accordance with the relevant requirements and rules set by the Department.
- e. Notwithstanding the provisions of Paragraph (a)1, (b)1 and c(4) of this Article, the Department may issue a Legal Consultancy Firm licence to non-UAE national applicants or to a branch of a foreign firm applicant, if the applicant provides a specialised Legal Service which is not already provided by existing Legal Consultancy Firms despite its significance or there is a demand for such service in the Emirate, provided always, the applicant under this Article has to have at least ten (10) consecutive years of professional experience.

Licence Renewal Requirements Article (10)

The following requirements must be met for renewal of a Licence:

1. Continuous compliance by the Legal Consultancy Firm with the requirements of Article (9) and (15) of this Bylaw. Legal Consultancy firms operating in the Emirate at the time of the issuance of this Bylaw shall be exempt from the UAE nationality requirements;
2. The title deed, the right of use or the lease agreement for the Legal Consultancy Firm's office must be in the name of the Legal Consultancy Firm, its sole proprietor, or one of the partners or shareholders, and the lease agreement must be valid and certified by the competent authorities in the Emirate;
3. All Legal Consultants employed by the Legal Consultancy Firm must be registered on the Roll in the category of practising Legal Consultants, and this registration must be valid at the date of renewal of the Licence;

4. The particulars of the commercial licence issued to the Legal Consultancy Firm by the Licensing Authority must conform with the details of the Licence at the time of Licence renewal;
5. The professional indemnity insurance must be valid at the time of the Licence renewal;
6. The fees prescribed for Legal Consultancy Firm Licence must be paid in accordance with the relevant procedures adopted by the Department; and
7. Any other requirements determined by the Department.

Licensing Procedures Article (11)

- a. Applications for a new Licence, renewal of Licence, and amendments to the particulars of a Licence, and all other applications stipulated in this Bylaw shall be submitted in the form prescribed by the Department, and supported by the required documents in this regard.
- b. An applicant(s) for a Licence is prohibited from obtaining or renewing a licence from any Licensing Authority without obtaining prerequisite approval of the Department in accordance with the relevant procedure adopted by the Department in this regard.

Consideration of License Applications Article (12)

Applications for a new Licence, renewal of Licence, and amendments to the particulars of a Licence, and all other related applications shall be considered by the Department in accordance with the requirements and procedures stipulated by this Bylaw. The Department shall notify the applicant(s) of the decision in this regard within two (2) working days from the issuance of the decision.

Licence Term Article (13)

- a. The Licence term shall be for one (1) year, renewable for the same period. The renewal application must be submitted within the last month prior to the expiration date of the Licence.
- b. In the event that a Legal Consultancy Firm fails to renew the Licence within the time frame prescribed in paragraph (a) of this Article without a reason acceptable to the Department, the Legal Consultancy Firm shall be subject to the penalties prescribed in the Resolution.

Nature of the Licence Article (14)

- a. All Licences shall be issued in the name of the applicant and must not be assigned to a third party.

- b. In the event of the death of the Licence holder or dissolution of a Legal Consultancy Firm, the heirs, successors or assignees shall not acquire the rights of the Licence holder. The Department shall determine the procedures for the management the firm in accordance with the rules it sets in this regard.

Legal Consultancy Firm Obligations Article (15)

All Legal Consultancy Firms must comply with the legislation regulating the legal consultancy profession in the Emirate; particularly to:

1. Not engage or permit any employed Legal Consultant to engage in any activity other than the provision of Legal Services, and not to offer Legal Services in any area(s) of law that the Legal Consultancy Firm is not authorised to practise;
2. Ensure that all Licence holders and Legal Consultants employed by the Legal Consultancy Firm are not owners, partners or employees of another Advocacy or Legal Consultancy Firm in the Emirate;
3. Ensure that non-UAE national Licence holders hold a valid residency in the State registered with the firm;
4. Ensure that non-UAE national Legal Consultants hold a valid residency in the State, and a labour card registered with the firm through which they practice;
5. Ensure that all Legal Consultants employed by the Legal Consultancy Firm are registered on the Roll, in the category of practising Legal Consultants, and maintain full-time employment within the Legal Consultancy Firm. Legal Consultants must not engage in any commercial activity or practise another profession, except teaching or training in any area of the law or legal profession;
6. Not employ any Legal Consultant(s) not registered on the Roll in the category of practising Legal Consultants;
7. Maintain a managing partner for the term of the Licence; and
8. Meet all other obligations prescribed by the bylaws, resolutions and instructions issued by the Department.

Managing Partner Obligations Article (16)

The managing partner of the Legal Consultancy Firm must:

1. Supervise the practice of the Legal Consultants employed by the Legal Consultancy Firm;
2. Ensure the Legal Consultancy Firm and all employees comply with all obligations prescribed by the Resolution, the bylaws, resolutions and instructions issued by the Department, and shall be the representative of the Legal Consultancy Firm before the Department;

3. Display the Licence in a prominent place visible to all persons dealing with the Legal Consultancy Firm, and return the Licence to the Department in the event of cessation of Legal Service, suspension of the Legal Consultancy Firm from providing Legal Services, or cancellation of the Licence;
4. Obtain the Department's prior approval before affecting a change to the legal form, name, partners or managing partner of the Legal Consultancy Firm, or establishing a branch office, or changing the address of a branch office, or merging or demerging with another firm, or accession or retirement of a partner;
5. Notify the Department of a change to the number of Legal Consultants employed by the Legal Consultancy Firm within ten (10) working days of such change;
6. Obtain the Department's prior approval before cessation of Legal Services provided by the Legal Consultancy Firm for any reason, to allow for the Department to issue the appropriate the action it deems appropriate in this regard;
7. Notify the Department of any change to the professional status of the Legal Consultants employed by the firm, including cessation of practice within fifteen (15) days of such change;
8. Keep custody of all files, documents and information relating to the Legal Consultancy Firm and Legal Services provided by the Legal Consultancy Firm for a minimum of ten (10) years, and make such documentation available to the Department upon request;
9. Maintain records that contain all details related to Legal Consultants employed by the Legal Consultancy Firm during the term of their employment and for a minimum of five (5) years after the end of their employment, and disclose such documentation to the Department upon request; and
10. Meet all other obligations prescribed by the bylaws, resolutions and instructions issued by the Department.

Voluntary Cessation of Legal Services Article (17)

- a. The Department may, upon a written application submitted by a Legal Consultancy Firm and for reasons acceptable to the Department, authorise a Legal Consultancy Firm to temporarily suspend the provision of Legal Services for a specified period of time, conditional upon the Legal Consultancy Firm undertaking that all commitments arising through the provision of Legal Services are satisfied and provided that the cessation does not harm the interests of the clients.
- b. The Department may, upon written application submitted by a Legal Consultancy Firm, cancel the Licence, conditional upon the Legal Consultancy Firm undertaking that all commitments arising through the provision of Legal Services are satisfied and provided that the cancellation does not harm the interests of the clients.

Suspension or Revocation of a Licence

Article (18)

- a. The Licence of a Legal Consultancy Firm shall be temporarily suspended for a period not exceeding one (1) year or revoked pursuant to a decision of the Director General in the following cases:
 1. A Legal Consultancy Firm's failure to renew the Licence for a period exceeding three (3) months without a reason acceptable to the Department;
 2. Revocation of a licence granted to the Legal Consultancy Firm by a Licensing Authority;
 3. Issuance of a judicial order to suspend or revoke the Licence; and
 4. The dissolution of the Legal Consultancy Firm.
- b. The Department may temporarily suspend the Licence of a Legal Consultancy Firm for a period not exceeding one (1) year, or may revoke the Licence, pursuant to a decision of the Director General, in the event of the Legal Consultancy Firm's failure or inability to meet the Licence obligations or contravention of the applicable legislation in the Emirate, or any of the provisions of the bylaws, resolutions and instructions issued by the Department.

Grievances

Article (19)

Any concerned person may submit in writing a grievance to the Director General against any of decision issued against him within sixty (60) days from the date of the issuance of the decision. Grievances shall be presented to and decided upon by a committee formed by a Director General resolution, and all decision issued by the committee shall be deemed final.

(Signed)

Dr. Lowai Mohamed Belhoul
Director General

Issued in Dubai on 10 September 2015
Corresponding to 26 Thu Al Qa'dah Safar 1436 A.H.